

North York Moors National Park Authority

Internal Memorandum

To: Mr Chris France (Director of Planning) From: Mrs H Saunders
Mr Mark Hill (Head of Development Management)

File Ref: NYM/2020/0757/FL

Applicant: Messers C & R Hall

Application for construction of 2 no. self-build, local-occupancy dwellings with associated driveway, garage/parking, amenity spaces and landscaping works at Land at Toft House Caravan Site, Main Road, Aislaby

I enclose for your attention the file relating to the above planning application which was approved by the Planning Committee on 08 April 2021 contrary to officer recommendation on the basis of lack of harm to the character and appearance of the settlement. Consequently the following planning conditions are recommended to be attached to the planning permission.

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission
2. The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

| Document Description | Document No. | Date Received |
|--|---------------------|----------------------|
| Proposed construction two bedroom cottage | KH20202/1 Rev B | 13/4/2021 |
| Proposed construction of three bedroom cottage and streetscene | KH2020/1 Rev B | 13/4/2021 |

3. or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), no development within Schedule 2, Part 1, Classes A to H Schedule 2, Part 2, Classes A to C and within Schedule 2 Part 14 Classes A to I of that Order shall take place without a further grant of planning permission being obtained from the Local Planning Authority.
4. The occupation of the dwelling hereby permitted shall be limited to:
 - i. a qualifying person; and
 - ii. a wife or husband (or person living as such), licensee, dependant or sub tenant of a qualifying person.

For the purpose of the above, a person is a qualifying person in relation to the dwelling if he/she has an interest in the dwelling (see Note A) and, immediately prior to occupying the dwelling, he/she has satisfied the Local Planning Authority that he/she was in need of local needs housing in term of the criteria set out in Policy

CO13 of the adopted North York Moors Local Plan, namely that he/she is:

Continued/Condition 4

1. Currently resident in the National Park, having been resident in the Park for at least the previous 3 years; or
2. Currently in employment in the National Park; or
3. Having an essential need to live close to relative(s) who are currently living in the National Park; or
4. Having an essential requirement for substantial support from relatives who are currently living in the National Park; or
5. Former residents whose case for needing to return to the National Park is accepted by the Authority.

Prior to the occupation of the development the qualifying person shall have obtained confirmation in writing from the Authority that they satisfy the local need criteria outlined in points 1 to 5 above.

Note A: For the purpose of the above, a person has an interest in the dwelling if he/she has a freehold or leasehold interest in the whole or any part of it, or is a secure tenant or statutory tenant within the meaning of the Housing Act 1985 or the Rent Act 1977.

Note B: For the purpose of the above, resident within the National Park will include the whole of parishes split by the National Park boundary with the following exceptions:

Allerston; Beadlam; Burniston; East Harlsey; Ebbingston and Yedingham; Great Ayton; Great and Little Broughton; Great Busby; Guisborough; Irton; Kirkby in Cleveland; Kirkbymoorside; Lockwood; Nawton; Newby; Pickering; Potto; Scalby; Snainton; Sutton under Whitestonecliffe.

5. No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
6. No work shall commence on the construction of the walls and roof of the development hereby permitted until details of the stone and tiles, including samples if so required by the Local Planning Authority, to be used for the external surfaces of the development (including dressings) have been submitted to and approved in writing by the Local Planning Authority. The materials used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
7. No work shall commence on the excavation works for the development hereby permitted until a one metre square freestanding panel of stonework showing the type of stone and stonework to be used in the construction of the development hereby permitted has been constructed on site and approved in writing by the Local Planning Authority. All new stonework shall match that of the approved panel both in terms of the stone used and the coursing, jointing and mortar mix and finish exhibited in the panel unless otherwise agreed in writing by the Local Planning Authority. The stone panel constructed shall be retained on the development site until the development hereby approved has been completed.
8. The rooflights to be installed in the development hereby permitted shall be a conservation style rooflight unless otherwise agreed in writing with the Local Planning Authority.
9. All new window frames, glazing bars and external door frames shall be of timber construction, painted white within six months of the date of installation and shall be maintained in that condition in perpetuity, unless otherwise agreed in writing with the Local Planning Authority.

10. The lintels and cills of all new windows hereby approved, together with any replacement lintels and cills, shall be of natural or reclaimed stone.
11. No work shall commence on the installation of any replacement or new windows (and glazing if included) in the development hereby approved until detailed plans showing the constructional details of all window frames to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Such plans should indicate, on a scale of not less than 1:20, the longitudinal and cross sectional detailing including means of opening. The window frames shall be installed in accordance with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
12. No work shall commence on the installation of any door in the development hereby approved until detailed plans showing the constructional details and external appearance of all external doors and frames (and glazing if included) have been submitted to and approved in writing by the Local Planning Authority. All doors shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
13. The guttering to the development hereby permitted shall be directly fixed to the stonework by means of gutter spikes with no fascia boarding being utilised in the development and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
14. The rainwater goods utilised in the development hereby permitted shall be coloured black and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
15. The development must not be brought into use until the access to the site has been set out and constructed in accordance with the 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by the Local Highway Authority and the following requirements:

The crossing of the highway verge and footway must be constructed in accordance with the Standard Detail number E6W and the following requirements.

 - Any gates or barriers must not be able to swing over the existing highway.
 - That part of the access extending 6 metres into the site from the carriageway of the existing highway must be at a gradient not exceeding 1 in 10.
 - Provision to prevent surface water from the site/plot discharging onto the existing highway must be constructed in and maintained thereafter to prevent such discharges.
 - The final surfacing of any private access within one metre of the public highway must not contain any loose material that is capable of being drawn on to the existing public highway.
 - Measures to enable vehicles to enter and leave the site in a forward gear.
16. No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing KH20202/1 Rev B. Once created these parking areas shall be maintained clear of any obstruction and
17. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 or any subsequent Order, the garage(s) shall not be converted into domestic accommodation without the granting of an appropriate planning permission.
18. The area of land to the north east of the hedgeline shown on the layout plan on drawing no. KH20202 Sheet 1 Revision B shall not form part of or be used as domestic curtilage.
19. Prior to the development being brought into use details of a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for boundary hedge planting and shall include

details of any existing hedges and trees to be retained on the site together with any measures for managing/reinforcing these and shall specify plant species, sizes and planting densities for any new areas of planting. The approved details shall be carried out no later than the first planting season following the occupation of the buildings, or completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. The approved landscaping scheme shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

20. The existing leylandii hedge shall not be removed during the bird breeding season (March to August inclusive).

Informatives

MISC INF01 Bats

All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats etc.) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted on 0300 060 3900 for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given information to contact Natural England or the Bat Conservation Trust national helpline on 0845 1300 228.

MISC INF 12 Birds Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. In addition, certain species such as the Barn Owl are included in Schedule 1 of the Act and are protected against disturbance while nesting and when they have dependent young. Offences against birds listed in Schedule 1 of the Wildlife and Countryside Act are subject to special penalties. An up-to-date list of the species in Schedule 1 is available from Natural England

<http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotectedbirds.aspx>.

Further information on wildlife legislation relating to birds can be found at www.rspb.org.uk/images/WBATL_tcm9-132998.pdf.

If advice is needed please contact the National Park Authority's Conservation Department on 01439 772700 or conservation@northyorkmoors.org.uk.

Swifts

New build houses provide an excellent opportunity to incorporate features for biodiversity such as integral bat boxes and bird nest boxes (especially for swifts) at minimal additional cost, which help to offset losses of habitat caused by the development. Consequently the applicant is requested to consider incorporating a number of inbuilt features into their homes during the construction phase to provide ongoing habitat for species which depend on the built environment.

I should be pleased if you would approve the issue of the decision notice.

Signed: Mark Hill

Date: 27/4/2021